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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,560	07/25/2003	Takaichiro Umeda	116669	9345
25944	7590	11/23/2004		
OLIFF & BERRIDGE, PLC P.O. BOX 19928 ALEXANDRIA, VA 22320			EXAMINER HSIEH, SHIH WEN	
			ART UNIT	PAPER NUMBER
			2861	

DATE MAILED: 11/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

<b>Office Action Summary</b>	<b>Application No.</b> 10/626,560	<b>Applicant(s)</b> UMEDA ET AL.	
	<b>Examiner</b> Shih-wen Hsieh	<b>Art Unit</b> 2861	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 28 is/are allowed.
- 6) ☒ Claim(s) 1-4 and 8-10 is/are rejected.
- 7) ☒ Claim(s) 5-7 and 11-27 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                                            |                                                                                         |
|--------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                       | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10703</u> . | 6) <input type="checkbox"/> Other: _____                                                |

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-4 and 8-10 are rejected under 35 U.S.C. 102(a) as being anticipated by Usui et al. (US Pat. No. 6,540,322 B2).

In regard to:

Claim 1:

Usui et al. teach:

An inkjet recording apparatus comprising:

a print head (7 or 8, fig. 1) having a plurality of inkjet ports;

a suction cap (37 or 38, fig. 3) which seals up the inkjet ports to carry out ink suction, the suction cap having an ink discharge port (18, fig. 14) for discharging ink received through the ink suction, refer to col.11, lines 47-53; and

an ink guide member (50, fig. 14) which is engageable into the suction cap, the ink guide member having a channel (60, fig. 14) of predetermined Length, refer to col. 11, lines 54-58; and col. 12, lines 12-22 and for the channel, please refer to fig. 14D;

wherein the channel constitutes a suction channel between the channel and the suction cap when the ink guide member is engaged into the suction cap, the suction channel communicating with the ink discharge port, refer to col. 12, lines 5-22.

Claim 2:

Usui et al. further teach:

wherein the ink guide member has at least one communication hole (51, fig. 14) for allowing the suction channel to communicate with atmosphere.

Claim 3:

Usui et al. further teach in their fig. 18:

wherein the communication hole comprises a plurality of communication holes (81) formed at predetermined intervals along a length direction of the channel and a sectional area of each of the communication holes is set to increase in accordance with a distance from the ink discharge port, refer to col. 12, lines 43-52.

Claim 4:

Usui et al. further teach:

wherein the communication hole comprises a plurality of communication holes (51, fig. 14) formed at predetermined intervals along a length direction of the channel, and a pitch between adjacent ones of the communication holes is set to decrease in accordance with a distance from the ink discharge port, refer to col. 11, lines 60-63.

Notes: pitch decreases means the density increases.

Claim 8:

Usui et al. further teach:

a suction pump (12, figs. 1, 20 and 21 )for generating negative pressure to suck ink from the suction cap; and

a tube (401, fig. 14) connecting the suction pump and the discharge port of the suction cap, refer to col. 11, lines 51-53;

wherein the suction pump sucks ink from the suction cap through the tube, refer to fig. 20C and D.

Claim 9:

A purge unit comprising:

a suction cap for sealing up inkjet ports of a print head, the suction cap having an ink discharge port for discharging ink received from the print head; and

an ink guide member which is engageable into the suction cap, the ink guide member having a channel of predetermined length; and

a suction pump for sucking ink from the suction cap through a tube connected to the ink discharge port,

wherein the channel constitutes a suction channel between the channel and the suction cap when the ink guide member is engaged into the suction cap, the suction channel communicating with the ink discharge port.

Rejection:

This claim is a combination of claim 1 and claim 8, and is rejected on the basis as set forth for these two claims discussed above.

Claim 10:

An ink guide member which is engageable into a suction cap that has an ink discharge port and seals up inkjet ports of a print head in an inkjet recording apparatus, the ink guide member comprising:

a channel portion of predetermined length,

wherein the channel portion constitutes a suction channel between the ink guide member and the suction cap when the ink guide member is engaged into the suction cap, the suction channel communicating with the ink discharge port.

Rejection:

This claim is a portion of claim 1 and is rejected on the basis as set forth for claim 1 discussed above.

***Allowable Subject Matter***

3. Claim 28 is allowed.

4. Claims 5-7 and 11-27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter:

In regard to:

Claims 5-7:

The primary reason for the allowance of claims 5-7 is the inclusion of the limitation of wherein the ink guide member has a reinforcing rib provided in a width-direction central portion of a top surface thereof so as to extend lengthwise, and the communication hole comprises a plurality of communication holes formed at predetermined intervals along a length direction of the channel on opposite sides of the reinforcing rib. It is this limitation found in each of the claims, as they are claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes these claims allowable over the prior art.

Claims 11-28:

The primary reason for the allowance of claims 11-28 is the inclusion of the limitation of wherein the suction cap has a bottom surface, the ink guide member is engageable (placeable used in claim 28) into the suction cap so as to opposed to the bottom surface of the suction cap, and a distance between the bottom surface of the suction cap and the ink guide member is set to be larger in an area near the ink discharge port than in an area distant from the ink discharge port when the ink guide member is engaged into the suction cap. It is this limitation found in each of the claims, as they are claimed in the combination that has not been found, taught or suggested by the prior art of record, which makes these claims allowable over the prior art.


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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shih-wen Hsieh whose telephone number is 571-272-2256. The examiner can normally be reached on 7:30AM -5:00PM.

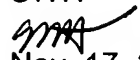
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Talbott can be reached on 571-272-1934. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**SHIH-WEN HSIEH**  
**PRIMARY EXAMINER**

  
Shih-wen Hsieh  
Primary Examiner  
Art Unit 2861

SWH

  
Nov. 17, 2004